



Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's
environment for the benefit of current and future generations.*



Matthew H. Mead, Governor

Todd Parfitt, Director

June 12, 2015

Mr. Keith Raney
LINN Energy
Box 254
Boulder, WY 82923

CERTIFIED MAIL

RE: Notice of Violation
Docket #5588-15

Dear Mr. Raney:

Enclosed you will find a Notice of Violation (NOV) issued to LINN Energy by the Department of Environmental Quality, Air Quality Division, for failure to comply with permitted CO limits for the Caterpillar G3516 SITA engine located at the Stud Horse Butte WDW #3 facility in Sublette County, Wyoming. This violation of condition 10 of permit CT-8166 occurred March 25, 2015.

As the Department and this Division consider the failure to comply with air quality permit conditions to be a serious matter, I am considering recommending the Department refer this violation to the State Attorney General's office requesting a suit be filed in District Court to recover appropriate penalties. If you would like to discuss settlement of this Notice of Violation prior to referral to the Attorney General's office, please contact Ms. Ann Shed, Air Quality Compliance Program Principal, at 307-777-8601 no later than ten (10) days after receipt of this letter.

Should you have any questions or comments regarding this matter, please feel free to contact me or Ms. Ann Shed.

Sincerely,

Steven A. Dietrich
Administrator
Air Quality Division

cc: Fred DiLella
Ann Shed
Landon Brown
Tony Hoyt
Elizabeth Lyon



BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING


IN THE MATTER OF THE NOTICE OF VIOLATION)
ISSUED TO LINN ENERGY) DOCKET NO. 5588-15
MR. KEITH RANEY)
BOX 254)
BOULDER, WY 82923)

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Air Quality Division, has found LINN Energy to be in violation of permit CT-8166 issued in accordance with W.S. 35-11-801 of the Wyoming Environmental Quality Act and Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations (WAQSR) for the Stud Horse Butte WDW #3 facility located in Sublette County, Wyoming.
2. W.S. 35-11-801(a) states, "In granting permits, the Director may impose such conditions as may be necessary to accomplish the purpose of this act which are not inconsistent with the existing rules, regulations and standards."
3. Chapter 6, Section 2 of the WAQSR prescribes the applicability and procedures for issuing permits to sources under Wyoming's construction and modification permitting program.
4. Permit CT-8166 was issued to BP America Production Company on February 20, 2009 for the Stud Horse Butte WDW #3 facility. This facility and applicable permits transferred to LINN Energy on or about December 31, 2012. Condition 10 of permit CT-8166 limits the Caterpillar G3516 SITA engine to CO emissions of 0.5 g/hp-hr.
5. On March 25, 2015, LINN Energy conducted reference method testing on the Caterpillar G3516 SITA engine. The Caterpillar engine tested out of compliance for CO emissions at 1.43 g/hp-hr (over two and a half times the limit of 0.5 g/hp-hr).
6. Said violation consists of the Caterpillar G3516 SITA engine exceeding the permitted CO limit. Exceeding the permitted CO limit is a violation of condition 10 of permit CT-8166.
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental Quality Act] ... is subject to a penalty not to exceed ten thousand dollars (\$10,000.00) for each violation for each day during which the violation continues, a temporary or permanent injunction, or both a penalty and an injunction.
8. This notice is being sent to you pursuant to W.S. 35-11-701(c), which requires that, in any case of the failure to correct or remedy an alleged violation, the Director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

DATED this 17th day of JUNE, 2015.



Steven A. Dietrich
Administrator
Air Quality Division



Todd Parfitt
Director
Department of Environmental Quality

Please direct all inquiries to Steven A. Dietrich, Administrator, Division of Air Quality, Department of Environmental Quality, Herschler Building, 2nd Floor, 122 W. 25th Street, Cheyenne, Wyoming 82002. (Telephone: 307/777-7393.)